

MEMORANDUM OF UNDERSTANDING
FOR
COORDINATED WATER RESOURCE PLANNING
IN THE
ESTANCIA BASIN

This Memorandum of Understanding is an agreement by the Counties of BERNALILLO, SANTA FE, and TORRANCE which provides for the establishment of an organization and process to help coordinate water resource planning in the Estancia Basin. The boundaries of this Basin are generally described as shown on the Estancia Basin map which is attached and made a part of this Memorandum.

WHEREAS, the Estancia Basin is a hydrologically closed drainage basin located predominantly within TORRANCE County and significantly within BERNALILLO and SANTA FE Counties; and

WHEREAS, the ground-water resources of the Estancia Basin are vulnerable to rapid depletion by wells, saline water intrusion of fresh water aquifers, and contamination of recharge waters; and

WHEREAS, there are numerous water user constituencies who are dependent on the renewable, sustainable, and fresh water resources of the Estancia Basin; and

WHEREAS, a basin water planning committee has been established recently by the TORRANCE County Commission and has included participants invited from the BERNALILLO and SANTA FE County areas; and

WHEREAS, regional water planning is being promoted and supported by the New Mexico Interstate Stream Commission, and initial water planning research for the Estancia Basin has been included as part of the regional water planning process of the Middle Rio Grande Council of Governments; and

WHEREAS, the implementation of water resource planning and management shall respect local government sovereignty within the Estancia Basin, and implementation that involves funding must be approved by the affected jurisdiction.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

SECTION 1. PURPOSE AND OBJECTIVES.

This Memorandum of Understanding is intended to provide for the coordination of water planning activities affecting the Estancia Basin. Such coordination can be accomplished through the efforts of a special-purpose, advisory planning committee representing the water users and governmental jurisdictions of the Estancia Basin.

The general goal for this water planning process is to protect the quality and preserve the quantity of water resources of the Estancia Basin for future generations. Various objectives for achieving this goal include but are not limited to the following:

- A. Develop a geohydrologic model of the Basin in order to characterize ground-water flow and to calculate the basin ground-water supply;
- B. Maintain a categorical inventory of water users in the Basin and continuously forecast the consumptive demands on Basin ground water;
- C. Establish a ground-water monitoring system for collecting data on water table changes, saline water intrusion, and contamination in Basin recharge areas;
- D. Recommend various techniques of land use management for reducing threats to water resources, especially in vulnerable areas;
- E. Initiate and conduct a water resource information and education program designed to increase public knowledge of water laws and regulations, water conservation techniques, and the need to develop contamination prevention policies;
- F. Formulate water resource and conservation management policies for consideration by the various governments with jurisdiction in the Estancia Basin;
- G. Prepare a compilation of forty-year water development plans from all municipalities, counties, and public utilities operating water supply systems within the Estancia Basin; and
- H. Secure the future availability of usable water resources to maintain and sustain existing customary and cultural uses.

SECTION 2. ORGANIZATION.

The Torrance County/Estancia Basin water planning committee initially created by the TORRANCE County Commission, shall be known as the Estancia Basin Water Planning Committee, and shall provide a core group to be expanded with members appointed in accordance with this Memorandum.

Membership on the Estancia Basin Water Planning Committee shall be established by mutual agreement of the County Commissions of BERNALILLO, SANTA FE, and TORRANCE Counties. The Estancia Basin Water Planning Committee shall include thirteen voting members with the addition of various non-voting members. Each member shall represent a specific category of interest and shall be appointed according to the following requirements:

- A. Three County government representatives
 - 1. Each County appoints one member
 - 2. Each member serves a renewable term of three years

- B. Three representatives from the municipal/developer/utility interest group
 - 1. Each County appoints one member
 - 2. Each member serves a renewable term of three years
- C. Three representatives for agricultural enterprise
 - 1. One representative appointed by SANTA FE County
 - 2. Two representatives appointed by TORRANCE County
 - 3. Each member serves a renewable term of three years
- D. Three representatives appointed by the Soil and Water Conservation Districts (SWCD)
 - 1. One representative from Edgewood SWCD
 - 2. One representative from East Torrance SWCD
 - 3. One representative from Claunch-Pinto SWCD
 - 4. Each member serves a renewable term of three years
- E. One citizen-at-large representative
 - 1. Nominated and appointed by the Estancia Basin Water Planning Committee
 - 2. Member serves a renewable term of one year
- F. Various non-voting representatives appointed by State and Federal agencies including but not limited to:
 - 1. N.M. State Engineer Office (required)
 - 2. N.M. State Land Office (optional)
 - 3. NMSU Cooperative Extension Service (optional)
 - 4. Natural Resource Conservation Service (optional)
 - 5. U.S. Forest Service (optional)

SECTION 3. COMMITTEE RESPONSIBILITIES.

The Estancia Basin Water Planning Committee shall perform an advisory role to various governments on matters concerning the water resources of the Estancia Basin. The members of the Estancia Basin Water Planning Committee shall continually develop their knowledge and expertise, as a group, about the water resources of the Estancia Basin.

The major responsibilities of the Estancia Basin Water Planning Committee shall be described as follows:


- A. Promote and participate in water resource planning activities affecting the Estancia Basin;
- B. Establish its own rules of conduct for purposes of holding public meetings and maintaining an active membership;
- C. Collect and compile all available data and information on the water resources of the Estancia Basin. Such data and information will be placed in a water resources library at the TORRANCE County Courthouse;
- D. Maintain communications with the respective Planning Commissions of the Counties of BERNALILLO, SANTA FE, and TORRANCE;
- E. Review and comment on major development proposals impacting water resources as appropriate and by request from any government agency with jurisdiction in the Estancia Basin;
- F. Investigate and recommend water resource management policies and strategies for consideration by the various governments with jurisdiction in the Estancia Basin;

- G. Promote and assist in public education programs about the conservation, preservation, and protection of the waters of the Estancia Basin;
- H. Prepare and submit an annual report to the County Commissions of BERNALILLO, SANTA FE, and TORRANCE Counties to describe the activities and achievements of the Estancia Basin Water Planning Committee; and
- I. Investigate potential future organizational structures based on joint powers agreement, special purpose district, regional authority, or other such arrangement.
- J. When necessary, develop and present alternative funding strategies for implementation with the Estancia Basin, subject to approval by any County whose jurisdiction is affected by such funding.
- K. Report periodically to the Middle Rio Grande Council of Governments for the purpose of maintaining regional coordination and cooperation in water resource planning and management.

SECTION 4. IMPLEMENTATION.

This Memorandum of Understanding will become effective upon the latest date of signature by the participating counties. A consensus regarding the membership of the Estancia Basin Water Planning Committee shall be reached within 60 days of the effective date of this Memorandum.

This Memorandum may be modified at any time by mutual consent of the participating counties. Any party to this Memorandum may withdraw by action of the respective County Commission.



CHAIRMAN, BERNALILLO COUNTY COMMISSION

8/21/95
DATE



CHAIRMAN, SANTA FE COUNTY COMMISSION

7/11/95
DATE




CHAIRMAN, TORRANCE COUNTY COMMISSION


8/23/95
DATE

MEMORANDUM OF UNDERSTANDING FOR COORDINATED WATER RESOURCE
PLANNING IN THE ESTANCIA BASIN

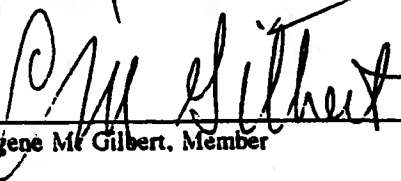
BERNALILLO COUNTY COMMISSION


Albert "Al" Valdez, Chairman

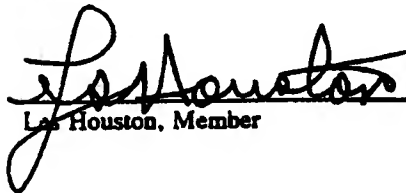

CHAIRMAN, SANTA FE COUNTY COMMISSION


Ken Sanchez, Vice-Chair

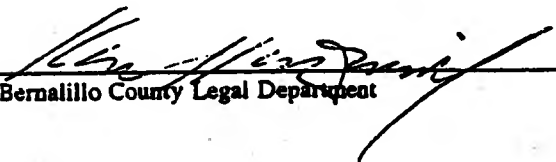

CHAIRMAN, TORRANCE COUNTY COMMISSION


Eugene M. Gilbert, Member

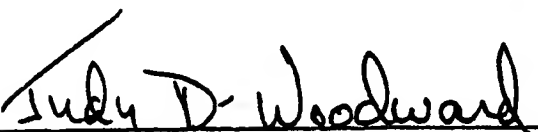

Barbara J. Seward, Member


Lee Houston, Member

Approved as to form:


Bernalillo County Legal Department

Attest:


Judy Woodward, County Clerk

